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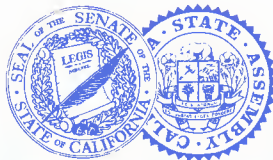
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# California State Legislature



## CALIFORNIA LEGISLATIVE JEWISH CAUCUS

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July 29, 2019

Ms. Soomin Chao  
Chair, Instructional Quality Commission  
California Department of Education  
1430 N Street  
Sacramento, CA 95814-5901

To Chairwoman Chao and Members of the Instructional Quality Commission:

We write as Members of the California Legislative Jewish Caucus to share our deep concerns with the current draft of the Ethnic Studies Model Curriculum (ESMC). The ESMC is inaccurate and misleading in several critical respects and is drafted in a manner that reflects an anti-Jewish bias. For this reason, we are strongly opposed to the ESMC moving forward without significant revisions.

As elected representatives and members of California's diverse Jewish community, we have consistently prioritized efforts to promote inclusion and have strongly supported efforts to ensure that California students understand our state's complicated history and rich diversity. However, we cannot support a curriculum that erases the American Jewish experience, fails to discuss antisemitism, reinforces negative stereotypes about Jews, singles out Israel for criticism, and would institutionalize the teaching of antisemitic stereotypes in our public schools. We respectfully request that the IQC address the matters outlined below.

### **The Draft Curriculum Effectively Erases the American Jewish Experience**

Despite the significant contributions of Jews to California's history, politics, culture, and government—and our community's longstanding struggle against hatred and discrimination—the ESMC effectively erases the American Jewish experience. Indeed, notwithstanding widespread agreement that Judaism is a form of identity that is broader than religion,<sup>1</sup> and the inclusion of religion in sample courses for African American, Native American, Latin American, and Arab American Studies,<sup>2</sup> Jews are essentially excluded from the ESMC. We have been advised that

<sup>1</sup> E.g., Carolyn Chen, *Sustaining Faith Traditions: Race, Ethnicity and Religion among the Latino and Asian American Second Generation* (New York: NYU 2012) at 17; "UC Berkeley Department of Ethnic Studies Mission," <http://ethnicstudies.berkeley.edu/about/mission>, last accessed July 25, 2019.

<sup>2</sup> California State Department of Education, *Draft 2020 Ethnic Studies Model Curriculum Chapter 2: Sample Course Models*, at 48, 200, 233-4, 236 (2019) [hereinafter *ESMC Chapter 2*] available at <https://www.cde.ca.gov/ci/cr/cf/esmcpcomment.asp>.



this exclusion appeared to be intentional and reflected the political bias of the drafters of the ESMC. This purposeful exclusion is deeply insulting, fundamentally inconsistent with the purposes of ethnic studies, harmful to Jewish and non-Jewish students, and indicative of an anti-Jewish bias in the ESMC that would be dangerous to institutionalize in our curriculum.

### **The Draft Curriculum Omits Antisemitism**

While the ESMC specifies the importance of studying hate crimes, white supremacy, bias, prejudice, and discrimination, and specifically discusses bias against other communities, it omits any meaningful discussion of antisemitism.<sup>3</sup> This glaring omission is deeply troubling, especially against the backdrop of a recent surge in violent antisemitic incidents, which has included the shooting at the Tree of Life Synagogue in Pittsburgh—the deadliest attack on Jews in U.S. history—and the tragic shooting at the Chabad in Poway earlier this year. Moreover, while the Jewish Caucus applauds the inclusion of “Islamophobia” and other forms of discrimination in the ESMC Glossary, it is difficult to understand how a similar definition of antisemitism was not included, especially given that a majority of religiously-based hate crimes in the United States in 2017 were motivated by anti-Jewish bias.<sup>4</sup> In sum, we find it alarming—to say the least—that at a time when Nazis are marching openly in Charlottesville chanting “Jews will not replace us,” and Jews in our own state are being physically attacked in houses of worship, the ESMC would intentionally turn a blind eye to hatred and discrimination against our community.<sup>5</sup>

### **The Draft Curriculum Denigrates Jews**

In the few instances where the ESMC actually acknowledges Jews, it does so in a denigrating and discriminatory manner. For example, the ESMC recommends song lyrics that inappropriately delve into the Israeli-Palestinian conflict with strong bias and little nuance, and asserts that Israelis “use the press so they can manufacture,” a classic antisemitic trope about Jewish control of the media.<sup>6</sup> It is difficult to fathom why—especially at a time of rising antisemitism and real fear in the Jewish community—the State of California would want to actively promote a narrative about Jews that echoes the propaganda of the Nazi Regime.

### **The Draft Curriculum Singles Out Israel for Condemnation**

The anti-Jewish bias of the ESMC is further reflected in its not-so-subtle promotion of the Boycott, Divestment, and Sanctions (BDS) movement, which is widely perceived by many in the Jewish community and beyond as an effort to promote discrimination against Jews, Israelis, and/or Israeli-Americans. Notably, in stark contrast to brief and dispassionate references to other global conflicts,<sup>7</sup> the ESMC singles out Israel—the world’s only Jewish state—for special

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<sup>3</sup> Other forms of oppression and discrimination in the ESMC Glossary include Racism, Sexism, Anthropocentrism, Cisheteropatriarchy, Heteropatriarchy, Classism, Colonialism, Homophobia, Imperialism, Islamophobia, Patriarchy, Transphobia, White Supremacy, and Xenophobia. California State Department of Education, *Draft 2020 Ethnic Studies Model Curriculum Chapter 4: Glossary and Bibliography* at 1-3, 8-10, 12-13, 15-16.

<sup>4</sup> Nearly 60 percent of hate crimes motivated by religious bias in 2017 were anti-Jewish. U.S. Dep’t of Justice, *2017 Hate Crimes Statistics, Incidents and Offenses*, available at <https://ucr.fbi.gov/hate-crime/2017/topic-pages/incidents-and-offenses>.

<sup>5</sup> The failure to meaningfully acknowledge antisemitism despite statistics and recent events is further evidence that the ESMC was drafted with an anti-Jewish bias.

<sup>6</sup> *ESMC Chapter 2* at 270.

<sup>7</sup> See, e.g., *ESMC Chapter 2* at 105 (referencing the civil war in El Salvador), and *id.* at 41 (the Vietnam War).

critique and condemnation that is both out of context and factually inaccurate.<sup>8</sup> Singling out the Jewish State in this fashion and placing BDS alongside domestically-focused civil rights movements is especially problematic as BDS is an international movement whose focus goes significantly beyond the disciplinary boundaries of American ethnic studies, which focuses on the experiences and struggles of ethnic groups within the United States. Moreover, contrary to the ESMC guidelines, the references to BDS are not inclusive, and present a single viewpoint on an extraordinarily complex international political dispute.<sup>9</sup> The effort by the drafters of the ESMC to stretch to include BDS in the curriculum is directly contrary to established California law and policy<sup>10</sup> and raises further questions about the drafters' anti-Jewish bias and effort to institutionalize the teaching of their own narrow political ideology.

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It would be a cruel irony if a curriculum meant to help alleviate prejudice and bigotry were to instead marginalize Jewish students and fuel hatred and discrimination against the Jewish community. Without significant edits, the ESMC will do just that. The California Legislative Jewish Caucus appreciates your consideration of the points in this letter and your review of the proposed curriculum. We ask for your timely attention to this matter and we look forward to participating in the process moving forward.

Sincerely,



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Ben Allen  
Jewish Caucus Chair



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Jesse Gabriel  
Jewish Caucus Vice Chair

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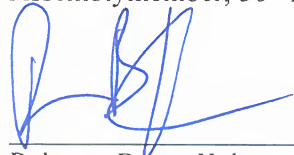
<sup>8</sup> See, e.g., *id.* at 242.

<sup>9</sup> The inclusion of BDS is also antithetical to the underlying values of ethnic studies, as it promotes discrimination on the basis of national origin and religion and calls for the boycott of Israeli scholars and academic institutions regardless of their viewpoints or policies.

<sup>10</sup> E.g., Assembly Bill 2844, 2015-16 Leg. (Cal. 2016) (adding § 2010 to the California Public Contracts Code and prohibiting any person or entity that engages in BDS from entering into a contract with the State of California); Memorandum of Understanding On the Establishment of a Strategic Partnership for Joint Innovation, Exchanges and Cooperation, Cal.-Isr., Mar. 5, 2014, *available at* [https://www.climatechange.ca.gov/climate\\_action\\_team/intergovernmental/MOU-Israel.pdf](https://www.climatechange.ca.gov/climate_action_team/intergovernmental/MOU-Israel.pdf); see also The Jerusalem Post, *California Governor Signs Anti-BDS Bill Into Law*, Sept. 25, 2016, *available at* <https://www.jpost.com/Diaspora/California-governor-signs-anti-BDS-bill-into-law-468670>.



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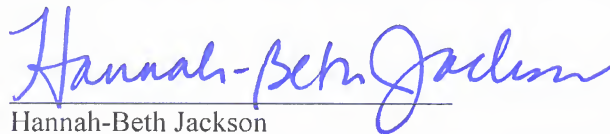
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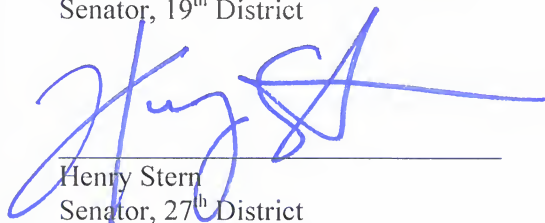
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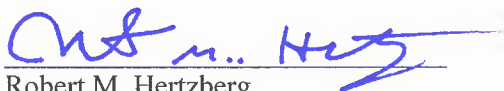
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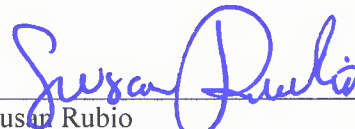
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Scott Wiener  
Senator, 11<sup>th</sup> District

Cc:

The Honorable Tony Thurmond, State Superintendent of Public Instruction  
Jamie Callahan, Deputy Cabinet Secretary, Office of the Governor  
Karen Stapf Walters, Executive Director of the California State Board of Education  
Dr. Linda Darling-Hammond, President of the California State Board of Education  
Dr. Stephanie Gregson, Director, Instructional Quality Commission, and Deputy Superintendent of Public Instruction, Performance, Planning & Technology Branch  
Sarah Neville-Morgan, Deputy Superintendent of Public Instruction, Teaching & Learning Support Branch